



Attorney's Docket No.: 42390.P11088

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In Re Application of:
Anurag Prakash

Application No. 09/819,292

Filed: 03/27/2001

Title: A Simple Pocket Assistant

Examiner: Datskovskiy, Michael V.

Art Unit: 2835

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF UNDER 37 C.F.R. §1.192

Sir:

The Appellant hereby submit this Brief in support of an appeal from a Final Rejection of the Examiner mailed on May 15, 2003 in the above-referenced application. The Appellant respectfully requests consideration of the Appeal Brief by the Board of Patent Appeals and Interferences for allowance of the above-referenced application.

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I. REAL PARTY IN INTEREST

The invention is assigned to Intel Corporation of 2200 Mission College Boulevard, Santa Clara, California 95052.

II. RELATED APPEALS AND INTERFERENCES

To the best of Appellant's knowledge, there are no appeals or interferences related to the present appeal which will directly affect, be directly affected by, or have a bearing on the Board's decision.

III. STATUS OF CLAIMS

From the Final Rejection mailed by the Examiner on May 15, 2003, Claims 1, 4-7, 9, 10, 12-14, 16, 18, 19, 25-27 and 30-35 are rejected. Claims 27, 30, 33 and 34 are rejected under 35 U.S.C. § 112, first paragraph. Claims 9-10, 12-14, 16 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haneda et al. ("Haneda") (U.S. patent 5,900,848) in view of Kumar et al. ("Kumar") (U.S. patent 5,548,478). Claims 1, 4-7, 18-19, 25, 30-32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gouco ("Gouco") (U.S. patent 6,222,507) in view of Kumar.

IV. STATUS OF AMENDMENTS

An amendment was filed on August 21, 2003 in response to the Final Office Action mailed by the Examiner on May 15, 2003. In the amendment, claims 30 and 34 have been canceled and claims 27 and 33 have been amended. These claims were canceled or amended for the purpose of expediting prosecution, and does not represent an admission or acquiescence as to their unpatentability. No advisory action was received. Appellant contends that the amendment would have placed the claims in better form for appeal.

Appellant has submitted as Appendix A the claims as of the Final Rejection of May 15, 2003.

Appellant has submitted as Appendix B the claims as they were presented in the response to the Final Rejection filed on August 21, 2003 and as of the date of this appeal.

V. SUMMARY OF INVENTION

Embodiments of the present invention are defined by Claims 1, 4-7, 9-10, 12-14, 16, 18-19, 25-27, 31-33, 35 and their equivalents. The present section of the Appeal Brief is set forth merely to comply with the requirements of 37 C.F.R. §1.192(c)(3) and is not intended to limit the above claims in any way. See M.P.E.P. §1206.

Embodiments of the present invention include a foldable mobile computing device and methods of making or using such a device. The mobile computing device comprises multiple modules with each module having a display screen which may be a touch screen. *See Substitute Specification, paragraphs 17 and 18, Figures 1A and 1B.*

When the multiple modules are unfolded such that they are arranged adjacent to one another, their individual display screens may form a larger combined display screen. *See Substitute Specification, paragraphs 21 and 28, Figures 3 and 6.*

Different types of application may be activated depending on whether the multiple modules of the mobile computing device are folded or unfolded. When the multiple modules are unfolded such that they are adjacent to one another, the mobile computing device may run or execute applications (e.g., Microsoft Word, etc.) typically associated with laptop computing devices. *See Substitute Specification, paragraphs 15, 21, 27 and 30, Figures 3 and 6.*

When the multiple modules are folded on top of one another, the mobile computing device may run or execute applications (e.g., Personal Digital Assistant (PDA) based applications) typically associated with hand-held computing devices. See *Substitute Specification, paragraphs 15, 23, 28 and 30, Figure 4.*

Thus, the computing device may operate in different modes (e.g., laptop or handheld) depending on how the multiple modules are arranged. See *Substitute Specification, paragraph 15.*

VI. ISSUES PRESENTED FOR REVIEW

From the Final Rejection mailed by the Examiner on May 15, 2003, Claims 1, 4-7, 9, 10, 12-14, 16, 18, 19, 25-27 and 30-35 are rejected.

The questions presented on this appeal are:

- (1) Whether the specification contains a written description of the invention, as 35 U.S.C. § 112, first paragraph, requires.
- (2) Whether the combinations of Haneda and Kumar would have rendered the invention as claimed in claims 9-10, 12-14, 16 and 26-27 obvious under 35 U.S.C. § 103(a).
- (3) Whether the combinations of Gouco and Kumar would have rendered the invention as claimed in claims 1, 4-7, 18-19, 25, 31-33 and 35 obvious under 35 U.S.C. § 103(a).

VII. GROUPING OF CLAIMS

For question (1), claims 27, 30, 33 and 34 are grouped together. For question (2), claims 9-10, 12-14, 16 and 26-27 are grouped together. For question (3), claims 1, 4-7, 18-19, 25, 31-33 and 35 are grouped together.

VIII. ARGUMENT

Question 1 -- Whether the specification contains a written description of the invention, as 35 U.S.C. § 112, first paragraph, requires.

In the Final Rejection, the Examiner rejected claims 27, 30, 33 and 34 under 35 U.S.C. § 112, first paragraph.

Claims 30 and 34 have been cancelled.

Claim 27 has been amended to include the limitations "the second viewing area is used for a first handheld software application, and the third viewing area is used for a second handheld software application":

Claim 33 has been amended to include the limitations "the second type of application is used when the second display screen and the third display screen are in a back-to-back open position".

As for Claims 27 and 33, the first handheld software application and the second handheld software application refer to applications that may be activated when the computing device is folded in a back-to-back open position. The back-to-back open position enables a display screen to be visible on one side (second viewing area) and another display screen to be visible on another side (third viewing area). The first handheld software application and the second handheld software application are of the same type (first type of application) because they are both handheld software applications, as compared to, for example, a laptop type of application (second type of application). Support for the limitations claimed in Claims 27 and 33 can be found in the Substituted Specification at paragraph 23 and in Figure 4.

Accordingly, Appellant respectfully requests the Board to vacate the Examiner's Final Rejection of claims 27, 30, 33 and 34 under 35 U.S.C. §112.

Question 2 -- Whether the combinations of Haneda and Kumar would have rendered the invention as claimed in claims 9-10, 12-14, 16 and 26-27 obvious under 35 U.S.C. § 103(a).

In the Final Rejection, the Examiner admitted that Haneda does not teach having viewing areas being associated with different types of applications.

The Examiner, however, rejected Appellant's claimed invention by indicating that Kumar teaches a display panel being controlled by two different software applications related to a position of said display panel in a laptop mode or in a tablet mode. The Examiner, however, failed to specifically point out where such teaching occurs in Kumar, except for generally pointing to Figures 1-18. The Examiner then concluded that it would have been obvious to one skilled in the art at the time the invention was made to employ a specific software application for a respective position of a display panel as it is shown by Kumar in the device by Haneda in order to support functioning of the display of the computer in different modes.

Appellant disagrees with the Examiner's interpretation of Kumar and respectfully submits to the Board that the Examiner's interpretation is not supported by Kumar. More specifically, Kumar does not specifically teach the display panel being controlled by two different software applications.

Kumar teaches a computing device having an adjustable hinge mechanism that serves as a linkage between a base unit and a display cover. The computing device includes both keyboard and pen-based input capabilities. (Summary). The display cover includes a touch panel display screen. The display cover may pivot downwardly into a closed position and upwardly into an upright or laptop position. The display cover may pivot a full 180 degrees relative to the base unit to a slate-style position. (Col. 3, line 42 to col. 5, line 55).

Appellant submits that Kumar does not teach the limitations as claimed in claim 9. For example, Kumar does not teach "using the display screen of the first module and the display screen of the second module as a first viewing area to interact with a first type of applications configured to run with a computer system having the first viewing area; and using the display screen of the first module as a second viewing area to interact with a second type of applications configured to run with a computer system having the second viewing area."

Appellant submits that, at least for the above reason, neither Haneka nor Kumar, individually or in combination, teach or suggest a method as claimed in claim 9. Moreover, neither the references themselves nor the art generally contain a suggestion or motivation to combine the referenced teachings as suggested by the Examiner.

Accordingly, Appellant respectfully requests the Board to vacate the Examiner's rejection of claims 9, 10, 12-14, 16 and 26-27 under 35 U.S.C. §103(a) based on the combination of Haneda and Kumar.

Question 3 -- Whether the combinations of Gouco and Kumar would have rendered the invention as claimed in claims 1, 4-7, 18-19, 25, 31-33 and 35 obvious under 35 U.S.C. § 103(a).

In the Final Rejection, the Examiner rejected claims 1, 4-7, 18-19, 25, 31-33 and 35 under 35 U.S.C. § 103(a) as unpatentable over Gouco in view of Kumar.

Appellant noted that claim 33 was omitted in this rejection. Because claim 33 depends from claim 31, Appellant requests that claim 33 is included in the argument relating to Question 3.

In the Final Rejection, the Examiner admitted that Gouco does not teach said viewing areas being associated with different types of applications.

The Examiner, however, rejected Appellant's claimed invention by indicating that Kumar teaches a display panel being controlled by two different software applications related to a position of said display panel in a laptop mode or in a tablet mode. The Examiner, however, failed to specifically point out where such teaching occurs in Kumar, except for generally pointing to Figures 1-18. The Examiner then concluded that it would have been obvious to one skilled in the art at the time the invention was made to employ a specific software application for a respective position of a display panel as it is shown by Kumar in the device by Gouco in order to support functioning of the display modules (or combination of different view areas created by said display modules) in different modes.

Appellant disagrees with the Examiner's interpretation of Kumar and respectfully submits to the Board that the Examiner's interpretation is not supported by Kumar. More specifically, Kumar does not specifically teach the display panel being controlled by two different software applications.

Kumar merely teaches a computing device having an adjustable hinge mechanism that serves as a linkage between a base unit and a display cover. The computing device includes both keyboard and pen-based input capabilities. (Summary). The display cover includes a touch panel display screen. The display cover may pivot downwardly into a closed position and upwardly into an upright or laptop position. The display cover may pivot a full 180 degrees relative to the base unit to a slate-style position. (Col. 3, line 42 to col. 5, line 55).

Appellant submits that Kumar does not teach the limitations as claimed in claim 1. For example, Kumar does not teach "the first viewing area is associated with a first type of applications and the second viewing area is associated with a second type of applications", as claimed in Claim 1. Similarly,

Appellant submits that Kumar does not teach the limitations as claimed in claim 18. For example, Kumar does not teach "the first viewing area used with a first type of applications...the second viewing area used with a second type of applications", as claimed in Claim 18. Furthermore, Appellant submits that Kumar does not teach "a first type of applications is used with the first display screen, and a second type of applications is used with the second or third display screen", as claimed in Claim 31.

Appellant respectfully submits that, at least for the above reason, neither Gouco nor Kumar, individually or in combination, teach or suggest a method as claimed in Claims 1, 18 or 31. Moreover, neither the references themselves nor the art generally contain a suggestion or motivation to combine the referenced teachings as suggested by the Examiner.

Accordingly, Appellant respectfully requests the Board to vacate the Examiner's rejection of claims 1, 4-7, 18-19, 25, 31-33 and 35 under 35 U.S.C. §103(a) based on the combination of Gouco and Kumar.

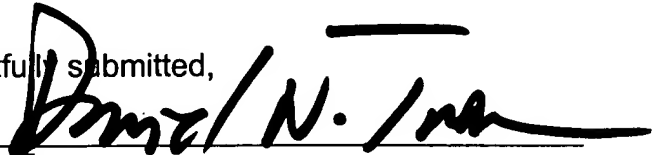
IX. CONCLUSION

For the foregoing reasons, the Board is respectfully requested to vacate the examiner's rejections of claims 1, 4-7, 9, 10, 12-14, 16, 18-19, 25, 26-27, 31-33 and 35, to remand this application to the Examiner, and to direct the Examiner to pass this case to issuance.

Authorization is hereby given to charge our Deposit Account No. 50-0221 for any charges that may be due.

Date: October 21, 2003

Respectfully submitted,



David N. Tran,
Attorney of Record for Appellant(s)
Reg. No. 50,804
Direct Phone No. (408) 765-4692

Appendix A

Claims as of May 15, 2003, the date of the Final Office Action

1. (Three-times Amended) A system, comprising:
a first module coupled to a second module and a third module, wherein a display screen of the first module, a display screen of the second module, and a display screen of the third module are to form a first viewing area when the first module is placed adjacent to the second module and the second module is placed adjacent to the third module, wherein the display screen of the first module is to form a second viewing area when the first module is folded on top of the second module such that the display screen of the first module is visible, and wherein the first viewing area is associated with a first type of applications and the second viewing area is associated with a second type of applications.
4. (Once Amended) The system of claim 1, wherein the display screens of the first module, the second module, and the third module are touch screen.
5. (Unchanged) The system of claim 4, further comprising a pen input device.
6. (Unchanged) The system of claim 1, further comprising keyboard simulation software.
7. (Unchanged) The system of claim 1, wherein the first module further comprises a wireless communication device.

9. (Unchanged) A method, comprising:

coupling a first module to a second module to form a computer system,
each of the first and the second modules having a display screen;
using the display screen of the first module and the display screen of the
second module as a first viewing area to interact with a first type
of applications configured to run with a computer system having
the first viewing area; and
using the display screen of the first module as a second viewing area to
interact with a second type of applications configured to run with
a computer system having the second viewing area.

10. (Unchanged) The method of claim 9, wherein using the display screen of
the first module and the display screen of the second module comprises placing
the display screen of the first module adjacent to the display screen of the
second module.

12. (Unchanged) The method of claim 9, wherein using the display screen of
the first module as the second viewing area comprises overlapping the first
module with the second module such that the display screen of the first module
is visible.

13. (Unchanged) The method of claim 9, further comprising using a pen input
device with one or more of the display screen of the first module and the display
screen of the second module.

14. (Unchanged) The method of claim 9, wherein the display screen of the first
module and the display screen of the second module are touch-screen.

16. (Unchanged) The method of claim 9, further comprising folding the first module on top of the second module such that neither the display screen of the first module nor the display screen of the second module is visible to enter a low power consumption mode.

18. (Three-times Amended) A system, comprising:
means for coupling a first module to a second module and to a third module, wherein the first module includes a first display screen, the second module includes a second display screen, and the third module includes a third display screen, such that when placing the first module, the second module, and the third module adjacent to one another, the first display screen, the second display screen, and the third display screen form a first viewing area, the first viewing area used with a first type of applications, and wherein the first display screen forms a second viewing area, the second viewing area used with a second type of applications.

19. (Twice Amended) The system of claim 18, wherein the first display screen is used with the second type of applications when the first module is folded over the second module such that the first display screen is visible and the second display screen is not visible.

25. (Unchanged) The system of claim 1, wherein the first type of applications is lap top software application, and the second type of applications is handheld software application.

26. (Unchanged) The method of claim 9, wherein using the display screen of the first module as the second viewing area comprises folding the first module on top of the second module such that the display screen of the first module is visible on one side and the display screen of the second module is visible on an opposite side, wherein the display screen of the second module is used as a third viewing area.

27. (Unchanged) The method of claim 26, wherein the second viewing area is used for a first application of the second type of applications, and the third viewing area is used for a second application of the second type of applications.

30. (Unchanged) The system of claim 18, further comprising means for activating the first type of applications when using the first viewing area and means for activating the second type of applications when using the second viewing area.

31. (New) A method, comprising:

forming a first display screen by joining a second display screen with a third display screen,

wherein each of the second display screen and third display screen provides a proportionate amount of the first display screen, and

wherein a first type of applications is used with the first display screen, and a second type of applications is used with the second or third display screen.

32. (New) The method of claim 31, wherein joining the second display screen with the third display screen comprises placing the second display screen

adjacent to the third display screen such that both the second display screen and the third display screen are visible in the same direction.

33. (New) The method of claim 31, wherein the second type of application is used when only the second display screen or the third display screen is visible.

34. (New) The method of claim 31, wherein the second type of application is used when the second display screen and the third screen are visible in different directions.

35. (New) The method of claim 31, wherein the second type of applications relates to hand-held applications, and wherein the first type of applications relates to laptop applications.

Appendix B

Following are the claims on appeal. These claims have been presented in a response to the Final Office Action in a communication to the Examiner on August 21, 2003.

1. (Previously Amended) A system, comprising:
a first module coupled to a second module and a third module,
wherein a display screen of the first module, a display screen of the second module, and a display screen of the third module are to form a first viewing area when the first module is placed adjacent to the second module and the second module is placed adjacent to the third module, wherein the display screen of the first module is to form a second viewing area when the first module is folded on top of the second module such that the display screen of the first module is visible, and wherein the first viewing area is associated with a first type of applications and the second viewing area is associated with a second type of applications.
4. (Previously Amended) The system of claim 1, wherein the display screens of the first module, the second module, and the third module are touch screen.
5. (Original) The system of claim 4, further comprising a pen input device.
6. (Original) The system of claim 1, further comprising keyboard simulation software.

7. (Original) The system of claim 1, wherein the first module further comprises a wireless communication device.

9. (Original) A method, comprising:

coupling a first module to a second module to form a computer system,
each of the first and the second modules having a display screen;
using the display screen of the first module and the display screen of the
second module as a first viewing area to interact with a first type
of applications configured to run with a computer system having
the first viewing area; and
using the display screen of the first module as a second viewing area to
interact with a second type of applications configured to run with
a computer system having the second viewing area.

10. (Original) The method of claim 9, wherein using the display screen of the
first module and the display screen of the second module comprises placing the
display screen of the first module adjacent to the display screen of the second
module.

12. (Original) The method of claim 9, wherein using the display screen of the
first module as the second viewing area comprises overlapping the first module
with the second module such that the display screen of the first module is
visible.

13. (Original) The method of claim 9, further comprising using a pen input device with one or more of the display screen of the first module and the display screen of the second module.

14. (Original) The method of claim 9, wherein the display screen of the first module and the display screen of the second module are touch-screen.

16. (Original) The method of claim 9, further comprising folding the first module on top of the second module such that neither the display screen of the first module nor the display screen of the second module is visible to enter a low power consumption mode.

18. (Previously Amended) A system, comprising:

means for coupling a first module to a second module and to a third module, wherein the first module includes a first display screen, the second module includes a second display screen, and the third module includes a third display screen, such that when placing the first module, the second module, and the third module adjacent to one another, the first display screen, the second display screen, and the third display screen form a first viewing area, the first viewing area used with a first type of applications, and wherein the first display screen forms a second viewing area, the second viewing area used with a second type of applications.

19. (Previously Amended) The system of claim 18, wherein the first display screen is used with the second type of applications when the first module is

folded over the second module such that the first display screen is visible and the second display screen is not visible.

25. (Original) The system of claim 1, wherein the first type of applications is lap top software application, and the second type of applications is handheld software application.

26. (Original) The method of claim 9, wherein using the display screen of the first module as the second viewing area comprises folding the first module on top of the second module such that the display screen of the first module is visible on one side and the display screen of the second module is visible on an opposite side, wherein the display screen of the second module is used as a third viewing area.

27. (Currently Amended) The method of claim 26, wherein the second viewing area is used for a first handheld software application [of the second type of applications], and the third viewing area is used for a second handheld software application [of the second type of applications].

30. (Canceled)

31. (Original) A method, comprising:

forming a first display screen by joining a second display screen with a third display screen,

wherein each of the second display screen and third display screen

provides a proportionate amount of the first display screen, and

wherein a first type of applications is used with the first display screen,

and a second type of applications is used with the second or third display screen.

32. (Original) The method of claim 31, wherein joining the second display screen with the third display screen comprises placing the second display screen adjacent to the third display screen such that both the second display screen and the third display screen are visible in the same direction.

33. (Currently Amended) The method of claim 31, wherein the second type of application is used when [only] the second display screen [or] and the third display screen [is visible] are in a back-to-back open position.

34. (Canceled)

35. (Original) The method of claim 31, wherein the second type of applications relates to hand-held applications, and wherein the first type of applications relates to laptop applications.